

WESTFIELD TOWN COUNCIL, November 12, 2007

The Westfield Town Council met in regular session Monday, November 12, 2007 at the Westfield Town Hall. Members present were Bob Smith, Bob Horkay, John Dippel, Ron Thomas, Joe Plankis, Jack Hart and Andy Cook. Also present was Cindy Gossard, Clerk-Treasurer, acting Town Manager, Bruce Hauk and Legal Counsel, Brian Zaiger. President Cook called the meeting to order at 7:00 p.m.

Approval of Minutes:

Bob Smith made a motion to approve October 8, 2007 minutes as presented. Joe Plankis seconded. Vote: Yes-6; No-0; Abstain-1 (J. Hart). Motion carried.

Guests:

Jasen Hobson spoke regarding the parking in downtown and the need for handicap parking. Mr. Hobson also has issues with the parking passes stating that the business owners and the downtown employees are not allowed to use them.

Ken Lipetz representing Village Farms spoke regarding the US 31 project and other issues affecting his neighborhood.

Sharon Williams spoke regarding the rules and the laws for Westfield and who dictates how to use our taxes.

Claims:

Jack Hart made a motion to approve claims as presented. John Dippel seconded. Vote: Yes-7; No-0. Motion carried.

Old Business:

Resolution 07-19 Custom Concrete Abatement Amendment
First Reading – October 8, 2007
Second Reading

Gordon Byers gave brief explanation of this Resolution and the need for this amendment.

Jack Hart made a motion to approve Resolution 07-19 as presented. Bob Smith seconded. Vote: Yes-4; No-3 (Cook- Thomas-Dippel). Motion carried.

Ordinance 07-23 Storm Water Utility
First Reading – October 8, 2007
Public Hearing
Second Reading

Kurt Wanninger spoke regarding this item stating this Storm Water User Fee is being introduced for the purpose of implementing capital improvements, operations and maintenance activities to comply with federal and state requirements.

Public Hearing opened 7:57 pm.

Herbert Smelser spoke stating his concerns regarding the retention ponds and he is opposed to these user fees.

Cindy Heimlicher is opposed to the user fees and would at the least like to see the amount of the fee to be made smaller.

Mike Swanton spoke stating he is opposed to this new fee also and the amount of the utility bills in Westfield.

Bryan Ruggles spoke stating he is also opposed to this fee.

Jack Holten spoke regarding this issue and his concerns and opposition to the user fees.

Public Hearing closed 8:12 pm.

There was some discussion as Kurt Wanninger spoke to some of the concerns.

Ron Thomas stated he did not agree with the fees either but it is a mandated function and he will have to pay them also.

John Dippel made a motion to approve Ordinance 07-21 as presented. Jack Hart seconded. Vote; Yes-7; No-0. Motion carried.

Ordinance 07-21 MVH Additional Appropriations
First Reading – October 8, 2007
Public Hearing
Second Reading

Kurt Wanninger explained the need for these additional funds for the budget.

Public Hearing opened 8:27 pm

Sharon Williams spoke asking for a copy of the budget.

Public Hearing closed 8:28 pm.

Joe Plankis made a motion to approve Ordinance 07-21 as presented. Bob Horkey seconded. Vote; Yes-7; No-0. Motion carried.

Resolution 07-20 Policies and Procedures Manual
First Reading – July 9, 2007
Second Reading

Andy Cook stated this manual needed to be updated and there was some discussion.

Bob Smith explained the amendments that were made to the manual.

Bob Horkey made a motion to approve Resolution 07-20 as amended. Joe Plankis seconded. Vote: Yes-6; No-0; Abstain -1 (B. Smith). Motion carried.

Regulatory Changes/Council Introduction:

Council Consideration

Bridgewater PUD – Amendment

Charlie Frankenger gave a brief presentation of this item stating this is a text amendment with explanation. Mr. Frankenger asked to be sent on to Plan Commission.

Consensus to send to Plan Commission.

New Business:

Trinity Baptist Fee Waiver Request

Ralph Wendal spoke asking the Council for a fee waiver for the Trinity Baptist Church.

Bob Smith made as motion to approve the fee waiver request as presented. Jack Hart seconded. Vote; Yes-6; N-1 (R.Thomas) Motion carried.

Monon Trailhead

Curt Cooley gave a brief presentation of this plan and how this would be accomplished.

Christine Dedon spoke on behalf of the Friends of Greyhound Pass in opposition and asked the Council to vote against this project.

Joe Ingalls spoke in support of this project and stated he felt Greyhound Pass would be a safe location for this Trailhead.

Council consensus to move this project forward.

2008 Employee Holiday Schedule

Bruce Hauk explained this schedule is the fixed holiday schedule for Town employees.

Joe Plankis made a motion to approve the 2008 Holiday Schedule as presented. Jack Hart seconded. Vote; Yes-6; No-0; Abstain-1 (B. Smith). Motion carried.

Ordinance 07-26 Towne Road Crossing Rezone Council Consideration – May 14, 2007 APC Public Hearing – June 25, 2007 First Reading

Jon Dobosiewicz gave a brief presentation of this project.

Ordinance 07-27 Public Tree Ordinance First Reading

Curt Cooley gave a brief presentation on this item stating this is an Ordinance put together by Community Development, Parks and Public Works Departments and the Town guidelines for the parks and streets.

Melody Sweat spoke regarding a possible amendment for this Ordinance.

This item will come back to Council in December.

Ordinance 07-25 Town to City Transition First Reading

Bruce Hauk presented this item briefly explaining the process of the transition and stated the intent of this draft is to get feedback from the Council on this process.

This item will come back to the Council in December.

Resolution 07-21 2007 Year End Budget Transfers

Andy Cook explained this is a year end clean up of the budget line items and this is done every year by the Clerk-Treasurers office.

Jack Hart made a motion to approve Resolution 07-21 as presented. Bob Smith seconded. Vote; Yes-6; No-1 (R. Thomas). Motion carried.

**Ordinance 07-24 2008 Salary Ordinance
First Reading**

Bruce Hauk gave a presentation of the 2008 Salary Ordinance and explained this will come back to the Council in December.

There was some discussion and input on changes to be made to this Ordinance.

2008 WPWD Utility Budget

Kurt Wanninger gave a brief presentation on this item explaining the projected cash flows and the budget numbers for 2008.

**Ordinance 07-28 Road Impact Fee Update
First Reading**

Kurt Wanninger presented this item explaining Ordinance 07-28 was done to be in compliance with Indiana Code in relation to how the Ordinance is written and applied.

Matt Miller from HNTB gave a presentation of the Road Impact Fee study service and to back up the revision to the Road Impact Fee Ordinance.

**Ordinance 07-29 Vacating of Easement – Parcel 7 of Westside
Interceptor Sewer Project
First Reading**

Kurt Wanninger spoke regarding this item stating this easement has been modified to move the easement to provide the separation requirements.

Bob Smith made a motion to suspend the rules to approve Ordinance 07-29, Ordinance 07-30 and Ordinance 07-31 on first reading. Bob Horkey seconded. Vote: Yes-7; No-0. Motion carried.

Bob Smith made a motion to approve Ordinance 07-29, Ordinance 07-30 and Ordinance 07-31 as presented. Bob Horkey seconded. Vote; Yes-7; No-0. Motion carried.

**Ordinance 07-30 Vacating of Easement – Parcel 6 of Westside
Interceptor Sewer Project
First Reading**

Kurt Wanninger spoke regarding this item also stating this has been modified to provide the separation requirements.

**Ordinance 07-31 Vacating of Easement – Parcel 26 of Westside
Interceptor Sewer Project
First Reading**

Kurt Wanninger spoke regarding this item again stating this has been modified to provide the separation requirements.

Consent Agenda:

Performance Bond Release

None

Release of Maintenance Bonds

None

Department Reports

None

Council Member Comments:

Ron Thomas stated he would like everyone to remember the Veterans and their families.

Bob Smith wished everyone a Happy Thanksgiving.

Adjourn:

Joe Plankis made a motion to adjourn. John Hart seconded. Vote: Yes-7; No-0. Motion carried.

With no further business the meeting adjourned at 10:40 p.m.

Clerk-Treasurer

Council President